

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, AUGUST 15, 2006

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
CHARLES OLIVER, MEMBER
JOA PENZIEN, MEMBER
ARNOLD THOEL, MEMBER
DEBORAH ZOLNOSKI, MEMBER

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the entire Commission was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and item 6A was added.

MOTION by OLIVER seconded by AUSILIO to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

3. The minutes of the previous meeting held on August 1, 2006 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by PENZIEN seconded by THOEL to approve the minutes of the meeting of August 1, 2006 as presented.

MOTION carried.

AGENDA ITEMS

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4. **Revised Site Plan for Heydenreich Retail Center Unit 3;** Located on the Northeast corner of Hall and Heydenreich Roads; Section 34; Atlantis Development, Inc., Petitioner; Permanent Parcel No. 08-34-300-024. (*Tabled from July 18, 2006*)

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Mr. David Hanoute, representing the petitioner, was also present to answer any questions which the commission might have.

MOTION by AUSILIO seconded by PENZIEN to table the Revised Site Plan for Heydenreich Retail Center Unit 3; Permanent Parcel No. 08-34-300-024 to the next Planning Commission meeting to be held on September 5, 2006.

MOTION carried.

5. **Revised Site Plan for Co-Locator for Metro PCS Detroit;** Located on the northwest corner of Hall and Tilch Roads; Section 31; Metro PC Michigan, Petitioner; Permanent Parcel Nos. 08-31-331-001 & -002. (*Tabled from August 1, 2006*)

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Patricia O'Shea and Helga Wickizer spoke against the proposal.

MOTION by AUSILIO seconded by THOEL to table the Revised Site Plan for Co-Locator for Metro PCS Detroit; Permanent Parcel Nos. 08-31-331-001 & -002 to the next Planning Commission meeting to be held on September 5, 2006.

MOTION carried.

6. **Final Preliminary Plat; Lone Oaks Estates Subdivision;** 23 lots; Located North side of 22 Mile Road, 566' west of Card Road; Section 22; Polaris Enterprises, Petitioner; Permanent Parcel No. 08-22-400-032.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval/denial.

Mr. James Grosser, representing the petitioner, was also present to answer any questions which the commission might have.

MOTION by KOEHS seconded by THOEL to approve the Final Preliminary Plat for Lone Oaks Estates Subdivision; Permanent Parcel No. 08-22-400-032 with the standard conditions of the Township including:

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1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
 - a) Macomb County Road Commission
 - b) Office of Public Works Commission of Macomb County
 - c) Macomb County Health Department
 - d) Macomb County Planning Commission
 - e) Michigan Department of Environmental Quality
 - f) All public utility companies affected
 - g) That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying to the plat to any public street be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plat.
3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinances.
6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
7. That all public street drain crossings within the boundaries of the Final Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreages, figures, and recorded easements in

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connection with this plat are true and accurate as they provide the basis for this recommendation.

9. That the "landscape easement" that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.

It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.

10. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by this office prior to the expiration date.
11. All street names must be cleared by the Township Supervisor for purposes of continuity as part of the application for the tentative preliminary plat. Any changes in street names must be authorized by Supervisor prior to the acceptance of an application for Final Plat. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.
12. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4" x 4" black posts with two inch white letters so that the street can be easily identified during the construction of the plat.
13. That the restrictive covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The "Restrictive Covenants" must be approved by the Township Attorney before an application will be received for Final Plat.
14. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The "Articles of Incorporation" must be approved by the Township Attorney before an application will be received for Final Plat.

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15. That the developer shall be responsible for having the Contract between Detroit Edison and Macomb Township executed and must establish the corresponding SAD for lamp charges. These items must be completed prior to the Developer applying for approval of the Final Plat.
16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

The Consultant suggests that the Planning Commission's action be forwarded to the Township Board for their consideration.

MOTION carried.

- 6A. Tentative Preliminary Plat; River Pointe Subdivision. (added to agenda)

MOTION by KOEHS seconded by AUSILIO to table the Tentative Preliminary Plat for River Pointe Subdivision indefinitely.

MOTION carried.

7. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by OLIVER to receive and file all correspondence in connection with this agenda.

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MOTION carried.

PLANNING CONSULTANTS COMMENTS

PLANNING COMMISSIONERS COMMENTS

ADJOURNMENT

MOTION by PENZIEN seconded by KOEHS to adjourn the meeting at 7:50 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
Planning Commission Secretary